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Attorney for Defendants
ROLLIT, LLC, REX PRODUCTS INC.,
MK ENTERPRISES, INC., and
MAURICE KANBAR

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN JOSE DIVISION)

3M COMPANY,

Plaintiff,

v.

MAURICE KANBAR, MK ENTERPRISES
INC., ROLLIT, LLC, AND REX PRODUCTS
INC.,

Defendants.

Case No. C 06-01225 JW (HRL)

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING REMEDIES**

Plaintiff 3M Company (hereinafter referred to as "3M" or "Plaintiff") and defendants Maurice Kanbar, MK Enterprises, Inc. Rollit, Inc. and Rex Products Inc. (hereinafter referred to as "Defendants") hereby submit the following stipulation regarding the remedies sought by the parties in this action:

1 1. In light of the preliminary injunction issued in this case, 3M has dismissed all
2 claims for monetary damages and legal remedies, and confirms its withdrawal of Plaintiff's jury
3 demand. 3M only seeks equitable remedies including, but not limited to, a permanent injunction,
4 destruction of infringing goods, attorney's fees and costs, and abandonment of Defendants'
5 trademark applications.

6 2. Defendants confirm that no claim raised in their Amended Answer and
7 Counterclaims includes a claim for monetary damages and legal remedies, and Defendants'
8 counterclaims seek equitable relief only.

9 3. Since the parties only seek equitable remedies in this action, Defendants' seventh
10 affirmative defense in the Amended Answer is moot, and such defense will be withdrawn from
11 Defendants' Amended Answer. Defendants' demand for a jury trial within the Amended Answer
12 and Counterclaims is also withdrawn.

13
14 Dated: February 15, 2007

FISH & RICHARDSON P.C.

15
16 By: /s/ David J. Miclean
17 David J. Miclean

18 Attorneys for Plaintiff
19 3M COMPANY

20 Dated: February 15, 2007

MK ENTERPRISES INC.

21 By: /s/ Michelle L. Landry

22 Attorneys for Defendants

23 ROLLIT, LLC, REX PRODUCTS INC.,
24 MK ENTERPRISES, INC., and
25 MAURICE KANBAR

DECLARATION OF CONSENT

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Michelle L. Landry.

Dated: February 15, 2007

FISH & RICHARDSON P.C.

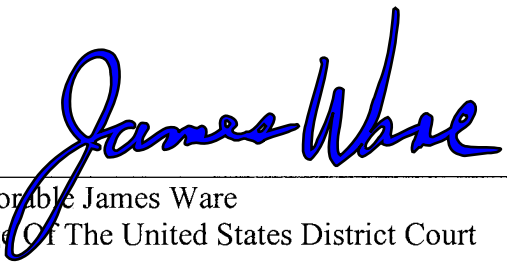
By: /s/ David J. Miclean
David J. Miclean

Attorneys for Plaintiff
3M COMPANY

ORDER

IT IS SO ORDERED.

Dated: February 16 2007



Honorable James Ware
Judge Of The United States District Court

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